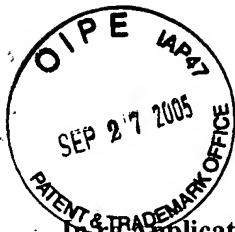


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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 98,723-E1)

In re Application of: )  
Juan Saus )  
Serial No.: 10/008,721 ) Group Art Unit: 1647  
Filed: December 7, 2001 ) Before the Examiner: J. Seharaseyon  
For: TNF-Inducible Promoters and Methods for )  
Using )  
Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. We are transmitting herewith the attached papers for the above identified Utility Patent Application:  
 Transmittal Letter (1 sheet);  
 Response to Office Action mailed June 28, 2005 (9 sheets);  
 Return Receipt Postcard
2. With respect to fees:  
 No fee is required.
3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 herein-above, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, on this 27<sup>th</sup> day of September, 2005. Express Mail No. EV596645560US.

By:   
David S. Harper  
Registration No. 42,636



PATENT

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO THE OFFICE ACTION MAILED JUNE 28, 2005**

Sir:

Responsive to the Office Action mailed June 28, 2005, Applicants respectfully request reconsideration of the pending claims in view of the following amendments and remarks.

**AMENDMENTS**

The Examiner is respectfully requested to enter the following amendments. Pursuant to revised 37 C.F.R. § 1.121, Applicants present a complete listing of the claims, including marked up versions of all currently amended claims, at pages 2-5. Remarks begin on page 6.